

ASSEMBLY BILL

No. 734

Introduced by Assembly Member Parra

February 17, 2005

An act to amend Section 635o of the Penal Code, relating to endangered species.

LEGISLATIVE COUNSEL'S DIGEST

AB 734, as introduced, Parra. Endangered species: crimes.

Existing law makes it unlawful to import into this state for commercial purposes, to possess with intent to sell, or to sell within the state, the dead body, or any part or product thereof, of certain animals, including any kangaroo.

This bill would revise those provisions relative to kangaroos to apply only to endangered kangaroos, as specified.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 653o of the Penal Code is amended to
2 read:
3 653o. (a) It is unlawful to import into this state for
4 commercial purposes, to possess with intent to sell, or to sell
5 within the state, the dead body, or any part or product thereof, of
6 any alligator, crocodile, polar bear, leopard, ocelot, tiger,
7 cheetah, jaguar, sable antelope, wolf (*Canis lupus*), zebra, whale,
8 cobra, python, sea turtle, colobus monkey, kangaroo, vicuna, sea
9 otter, free-roaming feral horse, dolphin or porpoise
10 (*Delphinidae*), Spanish lynx, or elephant.

1 (b) For purposes of this section, “kangaroo” means those
2 species of kangaroo that are included under any of the following:

3 (1) The federal Endangered Species Act of 1973 (16 U.S.C.
4 Sec. 1531 et. seq.).

5 (2) The Convention on International Trade in Endangered
6 Species of Wild Fauna and Flora.

7 (c) Any person who violates any provision of this section is
8 guilty of a misdemeanor and shall be subject to a fine of not less
9 than one thousand dollars (\$1,000) and not to exceed five
10 thousand dollars (\$5,000) or imprisonment in the county jail for
11 not to exceed six months, or both such fine and imprisonment,
12 for each violation.

13 ~~(b)~~

14 (d) The prohibitions against importation for commercial
15 purposes, possession with intent to sell, and sale of the species
16 listed in this section are severable. A finding of the invalidity of
17 any one or more prohibitions shall not affect the validity of any
18 remaining prohibitions.